

ADOT File: JPA 01-57-Amendment One
A G. Contract No. KR01-0580TRN
Project No AC-366(39) 089AYV357
TRACS No. H2741 03C
Section: SR-89A – Dumas Ditch @ Crescent
Moon Ranch – Mitigation
FS Agreement No. 02-CO-11030406-605

**AMENDMENT ONE
INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE COCONINO NATIONAL FOREST**

THIS AGREEMENT is entered into 2nd of April 2008, pursuant to Attorney General No. KR01-0580TRN, Original Agreement filed with the Secretary of State, March 22, 2002, File Number 25195, Arizona Revised Statutes Sections 11-951 through 11-954, as amended between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the COCONINO NATIONAL FOREST acting by and through its Forest Supervisor.

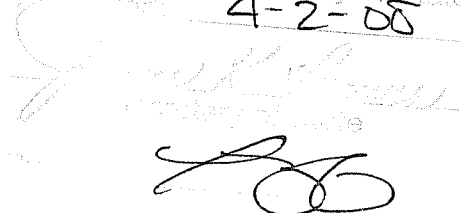
I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.

2. The Forest Service is empowered to enter into this Agreement by the Cooperative Funds Act of June 30, 1914, 16 U.S.C. 498 and the Intergovernmental Cooperation Act of 1968, as amended by the Intergovernmental Cooperation Act of September 13, 1982, Title III, 31 U.S.C. 6501-6508, Pub. L. 97-258, and resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the Forest Service.

THE PARTIES HERETO AGREE TO AMEND THE FOLLOWING LANGUAGE TO AGREEMENT 01-057;

Amend Section I of the Recitals # 2, and Section III, # 2. of the Miscellaneous Provisions. All other terms and conditions of the original Agreement shall remain in force and effect.

NO. 25195
Filed with the Secretary of State
Date 4-2-08


II. MISCELLANEOUS PROVISIONS

2. The terms, conditions and provisions of this Agreement shall remain in full force and effect for a successive period of **six (6) years** from the filing date recorded with the Arizona Secretary of State, and shall terminate on **June 30th, 2008**; provided, however, that this agreement, except any provisions herein for maintenance, which shall be perpetual and may be cancelled at any time prior to the commencement of performance, upon thirty (30) days written notice to the other party.

All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

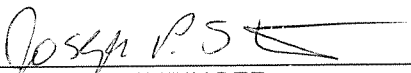
Arizona Department of Transportation
Joint Project Administration
205 South 17th Avenue, **Mail Drop 637E**
Phoenix, AZ 85007

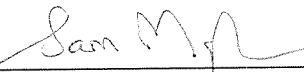
Forest Supervisor
Coconino National Forest
1824 South Thompson Street
Phone 928-527-3600
Flagstaff, AZ 86001

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

USDA FOREST SERVICE
Coconino National Forest


STATE OF ARIZONA
Department of Transportation

By 
JOSEPH P. STRINGER
Acting Forest Supervisor

By 
SAM MAROUFKHANI, P.E.
Deputy State Engineer, Development

The authority and format of this instrument
has been reviewed and approved for signature

By  3/11/08
ELIZABETH A. VENSEL Date
Forest Grants & Agreements Specialist

<p>TERRY GODDARD Attorney General</p>	 <p>OFFICE OF THE ATTORNEY GENERAL STATE OF ARIZONA</p>	<p>CIVIL DIVISION TRANSPORTATION SECTION Writer's Direct Line: 602.542.8855 Facsimile: 602.542.3646 E-mail: Susan Davis@azag.gov</p>
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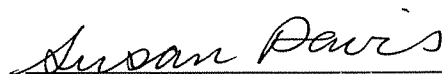
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR01-0580TRN (**JPA 01-57, Amendment One**), an Agreement between public agencies, i.e., The State of Arizona and The Coconino National Forest, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: March 26, 2008

TERRY GODDARD
Attorney General



SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

SED:mjf:173973
Attachment